

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. _____
v.	:	DATE FILED: _____
JAMES E. BROWN, JR.	:	VIOLATION:
	:	18 U.S.C. § 2252(a)(2) (receipt of child
	:	pornography - 2 counts)
	:	18 U.S.C. § 2252(a)(1) (transportation of
	:	child pornography - 1 count)
	:	18 U.S.C. § 2252(a)(4)(B) (possession of
	:	child pornography - 1 count)
		Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Defendant JAMES E. BROWN, JR., resided in Philadelphia, Pennsylvania.
2. Defendant JAMES E. BROWN, JR., possessed a computer and had access to the Internet through Verizon, an Internet Service Provider ("ISP").
3. "Hello" was a peer-to-peer Internet chat program offered by Google that allowed Internet users to chat and trade digital files over the Internet.
4. From at least in or about July 2007 through at least in or about August 2007, defendant JAMES E. BROWN, JR., accessed and used the Google "Hello" program using the screen name "Jakethesnake3."

5. On or about July 25, 2007, defendant JAMES E. BROWN, JR., logged into the Google “Hello” program using the screen name “Jakethesnake3” and had a peer-to-peer Internet chat with another Google “Hello” user who was using the screen name “Trexlover.” During the chat, defendant BROWN sent digital images of child pornography to Trexlover. Defendant BROWN also received digital images of child pornography from Trexlover. Trexlover told defendant BROWN that Trexlover’s daughter was in digital images that Trexlover had sent to defendant BROWN.

6. On or about July 31, 2007, defendant JAMES E. BROWN, JR., logged into the Google “Hello” program as “Jakethesnake3” and had another peer-to-peer Internet chat with the Google “Hello” user who was using the screen name “Trexlover.” During the chat, defendant BROWN received images of child pornography from Trexlover. Defendant BROWN asked Trexlover if the images included images of Trexlover’s children. Trexlover responded, “yea.”

7. On or about July 31, 2007, in the Eastern District of Pennsylvania and elsewhere, defendant

JAMES E. BROWN, JR.

knowingly received visual depictions that had been shipped and transported in interstate and foreign commerce, which visual depictions showed minors engaged in sexually explicit conduct, and the producing of those visual depictions involved the use of minors engaged in such sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(2).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 19, 2007, in the Eastern District of Pennsylvania and elsewhere, defendant

JAMES E. BROWN, JR.

knowingly received visual depictions that had been shipped and transported in interstate and foreign commerce, which visual depictions showed minors engaged in sexually explicit conduct, and the producing of those visual depictions involved the use of minors engaged in such sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(2).

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

On or about August 19, 2007, in the Eastern District of Pennsylvania and elsewhere, defendant

JAMES E. BROWN, JR.

knowingly transported and shipped in interstate and foreign commerce visual depictions showing minors engaged in sexually explicit conduct and the production of those visual depictions involved the use of minors engaged in sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(1).

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 15, 2008, in the Eastern District of Pennsylvania, defendant

JAMES E. BROWN, JR.

knowingly possessed a computer hard drive which contained visual depictions that had been transported in interstate and foreign commerce. The production of these visual depictions involved the use of minors engaging in sexually explicit conduct and the visual depictions were of minors engaging in sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(4)(B).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 2252(a)(2), set forth in this indictment, defendant

JAMES E. BROWN, Jr.

shall forfeit to the United States of America the following:

- (a) Any visual depiction described in 18 U.S.C. §§ 2251 or 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received in violation of 18 U.S.C. §§ 2251 and 2252;
- (b) Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such an offense; and
- (c) Any property, real or personal, used or intended to be used to commit or to promote the commission of such offense, including but not limited to:
 - i. one Gateway computer, model FX400X, Serial No. 36097490;
 - ii. one Gateway computer, model 2000, Serial No. 9498312;
 - iii. one Western Digital hard drive, Serial No. WCANK1174373;
 - iv. one Hitachi hard drive, Serial No. S2T3P29G; and
 - v. one IBM hard drive, Serial No. SHOT7545.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;

- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, Section 2253(o), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18, United States Code, Section 2253.

A TRUE BILL:

FOREPERSON

LAURIE MAGID
Acting United States Attorney